The order for Swannes.

FIRST yee ſhall inquire if there be any perſon that doth poſſeſſe any Swan, and hath not compounded with the Quéenes Maieſtie for his marke. That is to ſaie, ſix ſhillings eight pence for his marke during his life. If you know any ſuch you ſhall preſent them, that all ſuch Swannes and Cignets may be ſealed for the Quéene.

2 Alſo you ſhall inquire if any perſon do poſſeſſe any Swan or Cignet, that may not diſpend the cleare yerely value of fiue Markes of freehold (except heire apparant to the crowne) then you ſhall preſent him. 22. Ed. 4.

3 Alſo if any perſon or perſons do driue awaie any Swan or Swannes breeding or prouiding to breede, be it vpon his owne ground or any other mans ground, hee or they ſo offending ſhall ſuffer one yeares impriſonment, and fine at the Quéenes pleaſure, thirteene ſhillings foure pence. 11. Hen. 7.

4 Item, if there be found any Weres vpon the riuers not hauing any grates before them, it is lawful for euery owner, Swannaiſter or Swanheard, to pull vp or cut downe the birth, net or gin of the ſaid Were or Weres.

5 Item, if any perſon or perſons be found carrieng any Swanhooke, & the ſame perſon being no Swanheard, nor accompanied with two Swanheards: euery ſuch perſon ſhall pay to the Quéene thirteene ſhillings foure pence, that is to ſaie, three ſhillings foure pence to him that will informe, and the reſt to the Quéene.

Item, the ancient cuſtome of this Realme hath and doth allow to euerie owner of ſuch ground, where any ſuch Swan ſhall heirie, to take one bird, and for the ſame the Quéenes Maieſtie muſt haue of him that hath the land bird twelue pence.

Item, it is ordeined that if any perſon or perſons do conuaie away or ſteale away the Egge or Egges of any Swan, & the ſame duelie proued by ſufficient witneſſes, that then euery ſuch offender ſhall pay to the Quéene thirteene ſhillinges foure pence for euery Egge ſo taken out of the neſt of any Swan.

Item, it is ordeined euery owner that hath any Swannes ſhall pay foure pence yerely to the maiſter of the game for his fée, and his dinner and ſupper on the vpping day. And if the ſaid maiſter of the game faile of the foure pence, then he ſhall diſtraine the game of euerie ſuch owner that ſo doth faile of paiment.

Item, if there be any perſon or perſons that hath Swannes that doth heirie vpon their ſeuerall waters, and after commeth to the common riuer they ſhall pay a land bird to the Quéene, & be obedient to all Swan lawes: for diuerſe ſuch perſons do vſe it for colluſion to defraud the Quéene of her right.

Item, it is ordeined that euery perſon hauing any Swannes, ſhall begin yearlie to marke vpon the firſt of Auguſt, and no perſon before, but as the companie may, ſo that the maiſter of the Quéenes game or his deputie be preſent. And if any take vpon him or them to marke any Swannes or Cignets, to forfeit to the Quéenes Maieſtie for euerie Swanne fortie ſhillings.

Item, it is ordeined that no perſon or perſons being owners or Swanheards, or other, ſhall go on marking without the maiſter of the game be preſent, with other Swanheards nert adioining, vpon paine to forfeit to the Quéenes Maieſtie fortie ſhillings.

Item, it is ordeined that no perſon ſhall hunt any duckes or any other chaſe in the water or neere the haunt of Swannes in fence time, with any dogs or ſpaniels from the feaſt of Eaſter to Lammas, vpon paine for euery time ſo found in hunting to forfeit ſix ſhillings eight pence.

Item, it is ordeined that if any perſon do ſet any ſnares or any maner of nets, lime or engins to take Bittorns or Swannes from the feaſt of Eaſter to the ſunday after Lammas day, he or they to forfeit to the Quéenes Maieſtie for euery time ſo ſetting ſix ſhillings eight pence.

Item, it is ordeined that no perſon take vp any Cignet vnmarked, or make any ſale of them, but that the Quéenes Swanheard or his deputie preſent with other Swanheards nert adioining, or haue knowledge of the ſame, vpon paine to forfeit to the Quéene fortie ſhillings.

Item, it is ordeined that the Swanheard of the Duchie of Lancaſter ſhall vp no Swanne, or make any ſale of them, without the maiſter of the Swannes or his deputie be preſent, vpon paine to forfeit to the Quéenes Maieſtie fortie ſhillings.

And in like maner the Quéenes Swanheard ſhall not enter into the liberties of the Duchie without the Quéenes Swanheard be there preſent, vpon the like paine to forfeit fortie ſhillings.

Item, it is ordeined that if any Swans or Cignets be found double marked, they ſhall be ſealed to the Quéenes vſe, till it be proued to whom the ſame Swans or Cignets do belong. And if it cannot be proued to whom they do belong, that then they be ſealed for the Quéene, and hir Grace to be anſwered the value of them.

Item, it is ordeined that no perſon make ſale of any white Swans, nor make deliuerie of them without the maiſter of the game be preſent or his deputie with other Swanheards nert adioining, vpon paine to forfeit fortie ſhillings, wherof ſix ſhillings eight pence to him that will informe, and the reſt to the Quéenes Maieſtie.

Item, it is ordeined that no perſon ſhall lay leapes, ſet anie nets or drag within the common ſtreames or riuers vpn the daie time, from the feaſt of the Inuention of the Croſſe, vnto the feaſt of Lammas, vpon paine ſo oft as they be found ſo offending to forfeit twentie ſhillings.

Item, it is ordeined that if the maiſter of the Swans or his deputy do ſeale or take vp any Swannes as ſtraies for the Quéenes Maieſtie, that he ſhall keepe them in a pit within twentie foote of the Quéenes ſtreame, or within twentie foote of the common high waie, that the Quéenes ſubiects may haue a ſight of the ſaid Swannes ſo ſealed, vpon paine of fortie ſhillings.

Item, it is ordeined that if any perſon do raſe out, counterfeit or alter the marke of any Swan, to the hindering or loſſe of any mans game, and any ſuch offender duelie proued before the Quéenes Maieſties Commiſſioners of Swannes, ſhall ſuffer one whole yeares impriſonment, and pay three pound ſix ſhillings and eight pence to the Quéene.

Item, it is ordeined that the commons, that is to ſaie, dinner and ſupper, ſhall not exceed aboue ſix pence or eight pence at the moſt, and if any more be found on that riuer where ſuch dinner or ſupper is had, and the owner of the ſame game abſent nor any for him, the maiſter of the game or his deputie to laie ſix pence or eight pence for euerie ſuch owner, and to be allowed againe of euerie game, whoſe owner is abſent.

Item, it is ordeined that there ſhall be no forfeiture of any white Swanne or Cignet but onely to the Quéenes Grace, aſwell within the franchiſes and liberties as without, and if any do deliuer the Swan or Cignet to any perſon ſo ſealed, but onely to the maiſter of the Quéenes game, or his deputie to the Quéenes vſe, he to forfeit ſix ſhillings eight pence, and the Swannes to be reſtored to the maiſter of the game.

Item, it is ordeined that no perſon ſhall take any graie Swannes or Cignets or white Swannes flieng, but that he ſhall within foure daies next after deliuer it or them to the maiſter of the Quéenes game, and the taker to haue for his paines in taking the ſaid Swan eight pence.

Item, it is ordeined that euerie perſon hauing any game of his owne, ſhall not be Swanheard for himſelfe, nor keeper of any other mans Swannes, vpon paine to forfeit to the Quéenes Maieſtie fortie ſhillings.

Item, it is ordeined that no Swanheard, either or fouler, ſhall ſue any other ſwanheard, either or fouler by way of action, but onely before the Quéenes Maieſties Iuſtices of Seſſions of Swannes, vpon paine of forfeiting to the Quéenes Grace fortie ſhillings.

Item, the maiſter of the Quéenes game ſhall not take away any vnmarked Swan coupled with an other mans Swanne for breaking of the couple, and when they do heirie the one part of the Cignets to the Quéene, and the other to the owner of the marked Swan.

Item, it is ordeined that if any heirie be led withone Swan, the Swan and the Cignets ſhall be ſealed for the Quéene, till due proofe be had whoſe they are, and whoſe was the Swan that is away, be it Cob or Pen.

God ſaue the Queene.

Printed by Henrie Denham.

1584.